

Filed for intro on 02/06/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House No. HB0638  
By Herron

AN ACT to amend Tennessee Code Annotated, Title 33; Title 39 and Title 40, to authorize an alternative plea and verdict in criminal cases and to provide a procedure for such plea and verdict.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-201, is amended by adding the following new subsection:

( ) (1) Notwithstanding any other provision of law to the contrary, in addition to the verdicts of not guilty, guilty and not guilty by reason of insanity, the trier of fact may find the defendant "guilty but mentally ill".

(2) As used in subpart (1) of this subsection, "guilty but mentally ill" means the defendant committed criminal conduct but, at the time of such conduct, the defendant had a psychiatric disorder which substantially disturbed the defendant's thinking, feeling, or behavior and impaired such defendant's ability to function, including mental retardation.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.

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